

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

James C. York,)	
)	
Plaintiff,)	
)	
v.)	05 C 5690
)	
R. James Nicholson, Secretary,)	
Department of Veterans Affairs,)	
)	
Defendant.)	


MEMORANDUM ORDER

Secretary of the Department of Veterans Affairs Secretary R. James Nicholson has filed his Answer to the Second Amended Complaint brought against him by James York ("York") on race discrimination grounds. That Answer begins by asserting two affirmative defenses ("ADs") without providing any particularization: first, a claim that York failed to exhaust his administrative remedies, and second, a laches defense.

This action is set for a next status hearing date on November 9, 2006. To enable this Court to address those ADs at that time:

1. Nicholson's counsel is ordered to file a statement on or before October 18, 2006 setting out, other than in bottom-line conclusory fashion, the grounds for the two ADs.

2. York's counsel is ordered to file a response to those
ADs on or before November 1, 2006.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

Milton I. Shadur
Senior United States District Judge

Date: October 5, 2006

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